

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2006.

Present: Hon. Peter Tom, Justice Presiding,
George D. Marlow
Joseph P. Sullivan
James M. McGuire
Bernard J. Malone, Jr., Justices.

-----X
Application of

Daniel Moloney, et al.,
Petitioners-Appellants,

M-4447

Index No. 103822/05

For an Order Pursuant to Article 75
of the New York Civil Practice Law
and Rules,

-against-

Shamrock Building Systems, Inc.,
Respondent-Respondent.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 31, 2006,

And petitioners-appellants having moved to stay arbitration, pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

Catherine O'Hagan Wolfe

Clerk.